

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
EASTERN DIVISION

DARRELL WARD,)
Plaintiff,)
v.) Case No. 1:25-cv-01142-JDB-tmp
HENDERSON COUNTY JAIL,)
Defendant.)

ORDER DIRECTING PLAINTIFF TO COMPLY WITH 28 U.S.C. § 1915(a)(2) OR
PAY \$405 CIVIL FILING FEE

On June 12, 2025, the Plaintiff, Darrell Ward, an inmate confined at the Henderson County Jail in Lexington, Tennessee, filed a pro se civil complaint under 42 U.S.C. § 1983 and a motion to proceed in forma pauperis (“IFP”). (Docket Entries 1, 2.)

The Prison Litigation Reform Act (“PLRA”), 28 U.S.C. § 1915(a)-(b), requires a prisoner bringing a civil action to pay the filing fee required by 28 U.S.C. § 1914(a).¹ Although the obligation to pay the fee accrues at the moment the case is filed, *McGore v. Wrigglesworth*, 114 F.3d 601, 605 (6th Cir. 1997), partially overruled on other grounds by *LaFountain v. Harry*, 716 F.3d 944, 951 (6th Cir. 2013), the PLRA provides the prisoner the opportunity to make a “down payment” of a partial filing fee and pay the remainder in installments, *see* 28 U.S.C. § 1915(b)(2); *see also* *Bruce v. Samuels*, 577 U.S. 82, 84-85 (2016) (addressing payment of fees under § 1915(b)(1)). To take advantage of the installment procedures, the prisoner must properly complete

¹The civil filing fee is \$350. 28 U.S.C. § 1914(a). The Schedule of Fees requires an additional administrative fee of \$55 for filing any civil case. [Local Fees | Western District of Tennessee | United States District Court \(uscourts.gov\)](https://www.uscourts.gov/local-fees-western-district-tennessee-united-states-district-court-uscourts-gov) (last accessed June 13, 2025). The additional fee will not apply if leave to proceed IFP is ultimately granted.

and submit to the district court, along with the complaint, an IFP affidavit containing a current certification by the prison trust account officer and a copy of Plaintiff's trust account statement for the last six months immediately preceding the filing of the complaint. 28 U.S.C. § 1915(a)(1)-(2).

Plaintiff's IFP affidavit is not accompanied by a certified copy of his trust account statement for the last six months. Plaintiff is ORDERED to submit, within thirty days after the date of this order, either the entire \$405 civil filing fee or a current copy of his trust account statement. Plaintiff does not need to submit another IFP affidavit.

If Plaintiff needs additional time to pay the filing fee or file the required document(s), Plaintiff may request one thirty-day extension of time from the Court. *See McGore*, 114 F.3d at 605. If Plaintiff fails to comply with this order in a timely manner, the Court will deny leave to proceed IFP, assess the entire \$405 filing fee from Plaintiff's trust account without regard to the installment payment procedures, and dismiss the action without further notice pursuant to Federal Rule of Civil Procedure 41(b). *See id.*

Plaintiff is ORDERED to notify the Court immediately, in writing, of any change of address. If Plaintiff fails to abide by this requirement or any other requirement of this order, the Court may impose appropriate sanctions, up to and including dismissal of this action, without any additional notice or hearing by the Court.

IT IS SO ORDERED this 13th day of June, 2025.

s/ J. DANIEL BREEN
UNITED STATES DISTRICT JUDGE